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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/731,916	PEARSON ET AL.
	Examiner	Art Unit	
	SHEREE N. BROWN	2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _28 August 2009_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _97-99,103-109,112,113 and 115-133_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _97-99, 103-109, 112-113, 115-133_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
         application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _09/24/2009_ .

4)☐ Interview Summary (PTO-413)
      Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____ .

DETAILED ACTION

1.   This communication is responsive to the Amendments filed on 08/28/2009.

2.   This action has been made FINAL.

Information Disclosure Statement

3.   The information disclosure statement (IDS) submitted on 09/24/2009 was filed

after the mailing date of the application on 12/10/2003. The submission is in

compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure

statement has been considered by the examiner.

Claim Objections

4.   Claim 108 is objected to because of the following informalities: Claim 108 is

missing a (".") period. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6.   Claims 97, 103-105, 107-109, 112-113, 120-121, 128 and 130 are rejected under 35

U.S.C. 102(e) as being anticipated by Horn et al. (US Patent No. 7,013,289, Date Filed:

February 21, 2001, hereinafter Horn).

<u>**Claims 97:**</u>

Regarding Claim 97, Horn teaches a computer-implemented method for automatically

extracting and displaying information about a product from a plurality of articles (See

Abstract), the method comprising:

in response to receiving a search query for a product, searching an index of

articles that describe products for sale (*column 42, lines 63-67, Horn*);

identifying, based on the index searching, a plurality of articles from the index of

articles that are responsive to the search query (*column 25, lines 23-31 and lines 40-45 and*

column 42, lines 63-67, wherein images and prices are displayed with the products, Horn);

obtaining, based on the search query, at least one price for the product and at

least one image of the product from each of the identified articles by (*column 43, lines 39-*

42, wherein manufacturer's URL for product thumbnail and wherein the hyperlink is clickable

within the area of the thumbnail and wherein thumbnail is interpreted to be A small version of a

photo or Image browsers commonly display thumbnails of photos several or even dozens at a

time, Horn); automatically selecting and extracting a price for the product from a first

article of the identified articles (*See Horn Column 42, Lines 62-67 "the buyer receives a Web*

page displaying a number of products- their descriptions, images, prices and links for getting

(i.e. extracting) more information about the product); automatically selecting and extracting

an image for the product from the first article based on the price (*See Horn Column 42, Lines 62-67 "the buyer receives a Web page displaying a number of products- their descriptions, images, prices and links for getting (i.e. extracting) more information about the product*); repeating the selection and the extraction of prices and images for each of the identified articles (*See Horn Column 42, Lines 62-67 "the buyer receives a Web page displaying a number of products- their descriptions, images, prices and links for getting (i.e. extracting) more information about the product*);

and displaying, as a combined search result set, each of the prices extracted and the images extracted for the product from the identified articles (*See Column 42, lines 64-67, Horn*).

Claim 103:

Regarding Claim 103, Horn teaches wherein automatically selecting and extracting the price for the product comprises identifying a potential price in the first article; identifying a price signal associated with the identified potential price in the first article; determining whether the price signal indicates that the identified potential price is an actual price for the product; and responsive to a positive determination, automatically extracting the actual price from the first article (See *Column 13, lines 46-48, wherein manufacturer's build a worldwide brand name based on authentic products, ethical representation, fair prices, and good prices to buyers and column 20, lines 44-47, wherein the manufacturer's locale currency used to calculate prices in other product record versions, is equivalent to determining a price representation, Horn*).

Claim 104:

Regarding Claim 104, Horn teaches wherein the price signal comprises a font size of the identified potential price *(Column 21, lines 28-31, respectively, Horn)*.

Claim 105:

Regarding Claim 105, Horn teaches wherein the price signal comprises a font face of the identified potential price *(Column 21, lines 27-33, respectively, Horn)*.

Claim 107:

Regarding Claim 106, Horn teaches wherein the price signal comprises a word immediately following the identified potential price *(column 36, lines 34-38, wherein the global store calculates total cost including shipping and displays the total cost, wherein this is interpreted to correspond with applicants specification, paragraph [0033], wherein some words immediately preceding a potential price can indicate rebate and shipping, Horn)*.

Claim 108:

Regarding Claim 108, Horn teaches wherein automatically selecting and extracting the image for the product based on the price comprises determining global information associated with the product *(column 26, lines 15-26, respectively, Horn)*.

Claim 109:

Regarding Claim 109, Horn teaches wherein determining global information associated with the product comprises one selected from the group consisting of:

determining a number of documents from a source associated with the first article,

determining a frequency of occurrence of the image for the product on a network, and

determining a size of the image (*column 43, lines 32-41, wherein the images and size is associated with product and column 46, lines 44-50, wherein the invention accommodates a many to many relationship between products and categories; a product among many products to be related to more than one category among many categories and the use of this table when joined with the product table facilitates selection of all products in a category that are requested to be displayed, which is interpreted to be equivalent to determining a number of documents from a source associated with the first article and frequency of occurrence of the image for the product, wherein column 42, lines 65-67, all products are displayed with images and descriptions, and so forth, Horn*).

Claim 112:

Regarding Claim 112, Horn teaches wherein automatically selecting and extracting the image for the product comprises identifying a potential image in the first article based on the price; identifying a image signal associated with the identified potential image in the first article; determining whether the image signal indicates that the identified potential image is an actual image for the product; and responsive to a positive determination, automatically extracting the actual image from the first article (See *Column 13, lines 46-48, wherein manufacturer's build a worldwide brand name based on authentic products, ethical representation, fair prices, and good prices to buyers and column 20, lines 44-47, wherein the manufacturer's locale currency used to calculate prices in other product record versions, is equivalent to determining a price representation, Horn*).

Claim 113:

Regarding Claim 113, Horn teaches wherein the image signal comprises a number of occurrences value associated with the identified potential image for the product (*column 42, lines 65-67, wherein a number of products are displayed in the webpage, listing their descriptions, images, and prices, wherein this is interpreted to be equivalent to a number of occurrences associated with the image for the product, wherein an number of products are displayed, Horn*).

Claim 120:

Regarding Claims 120 and 121, Horn teaches a computer program product for automatically extracting and displaying information about a product from a plurality of articles, the computer program product, comprising:

a computer-readable medium (*Figure 1, all features, wherein hardware and software are used for buyers and referral websites and column 29, lines 14-21, respectively, Horn*); and computer program code, encoded on the medium (*column 35, lines 46-49, respectively, Horn*), for:

in response to receiving a search query for a product, searching an index of articles that describe products for sale (*See Claim 97, wherein this limitation is rejected under the same rationale, Horn*);

identifying, based on the index searching, a plurality of articles from the index of articles that are responsive to the search query (*column 25, lines 23-31 and lines 40-45 and column 42, lines 63-67, wherein images and prices are displayed with the products, Horn*);

obtaining, based on the search query, at least one price for the product and at

least one image of the product from each of the identified articles by *(column 43, lines 39-*

42, wherein manufacturer's URL for product thumbnail and wherein the hyperlink is clickable

within the area of the thumbnail and wherein thumbnail is interpreted to be A small version of a

photo or Image browsers commonly display thumbnails of photos several or even dozens at a

time, Horn);

automatically selecting and extracting a price for the product from a first article

of the identified articles *(column 42, lines 64-67, Horn)*;

automatically selecting and extracting an image for the product from the first

article based on the price *(See Horn Column 42, Lines 62-67 "the buyer receives a Web page*

displaying a number of products- their descriptions, images, prices and links for getting (i.e.

extracting) more information about the product);

repeating the selection and the extraction of prices and images for each of the

identified articles *(See Horn Column 42, Lines 62-67 "the buyer receives a Web page*

displaying a number of products- their descriptions, images, prices and links for getting (i.e.

extracting) more information about the product);

and displaying, as a combined search result set, each of the prices extracted and

the images extracted for the product from the identified articles *(column 42, lines 64-*

67,Horn).

Claim 121 :

Regarding Claim 121, Horn teaches a computer-implemented system for automatically

extracting and displaying information about a product from a plurality of articles, the

system, comprising:

means for searching an index of articles that describe products for sale in

response to receiving a search query for a product (*See Claim 97, wherein this limitation is*

rejected under the same rationale, Horn);

means for identifying, based on the index searching, a plurality of articles from

the index of articles that are responsive to the search query *(column 25, lines 23-31 and*

lines 40-45 and column 42, lines 63-67, wherein images and prices are displayed with the

products, Horn);

means for obtaining, based on the search query, at least one price for the product

and at least one image of the product from each of the identified articles by *(column 43,*

lines 39-42, wherein manufacturer's URL for product thumbnail and wherein the hyperlink is

clickable within the area of the thumbnail and wherein thumbnail is interpreted to be A small

version of a photo or Image browsers commonly display thumbnails of photos several or even

dozens at a time, Horn); automatically selecting and extracting a price for the product

from a first article of the identified articles (*column 42, lines 64-67,Horn*);

automatically selecting and extracting an image for the product from the first

article based on the price (*See Horn Column 42, Lines 62-67 "the buyer receives a Web page*

displaying a number of products- their descriptions, images, prices and links for getting (i.e.

extracting) more information about the product); repeating the selection and the extraction

of prices and images for each of the identified articles (*See Horn Column 42, Lines 62-67*

"the buyer receives a Web page displaying a number of products- their descriptions, images,

prices and links for getting (i.e. extracting) more information about the product); and means

for displaying, as a combined search result set, each of the prices extracted and the

images extracted for the product from the identified articles (*See Horn Column 42, Lines*

62-67 "the buyer receives a Web page displaying a number of products- their descriptions,

images, prices and links for getting (i.e. extracting) more information about the product);

Claim 128:

Regarding Claim 128, Horn teaches automatically selecting and extracting a second

price for the product from a second article of the identified article (*see claim 97, wherein*

this limitation is substantially the same and therefore rejected under the same rationale, Horn);

automatically selecting and extracting a second image for the product from the second

article based on the second price (*see claim 97, wherein this limitation is substantially the*

same and therefore rejected under the same rationale, Horn); and displaying in the combined

search result set the second price and the second image for the product extracted from

the second article (*see claim 97, wherein this limitation is substantially the same and therefore*

rejected under the same rationale, Horn).

Claim 130:

Regarding Claim 130, Horn teaches, wherein the image signal comprises an aspect ratio

associated with the identified potential image (*column 43, lines 39-42, wherein*

manufacturer's URL for product thumbnail and wherein the hyperlink is clickable within the

area of the thumbnail and wherein thumbnail is interpreted to be A small version of a photo or

Image browsers commonly display thumbnails of photos several or even dozens at a time, Horn).

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

8.   Claims 98-99, 115-119, 122-127, 129, and 131-133 are rejected under 35 U.S.C.

103(a) as being unpatentable over Horn et al. (US Patent No. 7,013,289, Date Filed:

February 21, 2001, hereinafter Horn), Aggarwal et al. (US Patent No. 6,728,706, Date

Filed: March 23,2001, hereinafter Aggarwal).

Claim 98:

Regarding Claim 98, Horn fails to teach automatically selecting and extracting the

image for the product based on the price comprises determining a distance between a

location of the price for the product and a location of the image for the product within

the first article. However, Aggarwal teaches wherein automatically selecting and

extracting the image for the product based on the price comprises determining a

distance between a location of the price for the product and a location of the image for

the product within the first article (*column 8, lines 9-14, wherein different similarity*

functions can be used for numeric, nominal and images features wherein different similarity

functions are used for nominal and non-nominal attributes, wherein these similarity scores are combined to give a similarity score between the two products, which is interpreted to be equivalent to "determining a distance between the price for the product and the image for the product", Aggarwal).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to incorporate an additional feature that involved automatically selecting and extracting the image for the product based on the price comprises determining a distance between a location of the price for the product and a location of the image for the product within the first article by Aggrawal within Horn system for the purpose of providing relevant search results to a user that displays a distance between the price for the product and the image for the product.

Claim 99:

Regarding Claim 99, the combination of Horn and Aggarwal teaches automatically selecting and extracting the image for the product comprises determining a distance within the first article between a location of the price for the product and a location of a term of the search query within the first article, and determining a distance within the first article between a location of the image for the product and a location of the term of the search query within the first article (*column 9, lines 20-33, wherein the system uses the category of the products in which the shopper is interested and extracts the corresponding features from the image of the product if one was submitted by the shopper and once the query point is determined, the goal of the system is to search for points in the feature space that are*

near this query point, a problem referred to as searching for K-nearest neighbors 340, which is

interpreted to be equivalent to "determining a distance between the price for the product and a

term of the search query, and the image for the product and the term of the search query",

Aggrawal).

Claim 115:

Regarding Claim 115, the combination of Horn and Aggarwal teaches wherein the

image signal comprises a number of words within the first article between a location of

the price for the product, a location of the identified potential image for the product and

a location of a term of the search query (*see claim 98, wherein this limitation is substantially*

the same and therefore rejected under the same rationale, Aggarwal).

Claim 116:

Regarding Claim 116, the combination of Horn and Aggarwal teaches wherein the first

article has a tree structure *(column 8, lines 36-39, Aggarwal)*.

Claim 117:

Regarding Claim 117, the combination of Horn and Aggarwal teaches wherein

identifying the image signal further comprises:

identifying a closest common ancestor to the price for the product and a term of the

search query (*See claim 99, wherein this limitation is substantially the same and therefore*

rejected under the same rationale, Aggarwal); determining the distance from the closest

common ancestor to the identified potential image (*See claim 99, wherein this limitation is*

substantially the same and therefore rejected under the same rationale, Aggarwal); and

determining the distance from the closest common ancestor to the term of the search

query (*See claim 99, wherein this limitation is substantially the same and therefore rejected*

under the same rationale, Aggarwal).

Claims 118-119:

Claims 118-119, are rejected on the same basis as claim 116.

Claim 122:

Regarding Claim 122, the combination of Horn and Aggarwal teaches wherein

automatically selecting and extracting the price for the product from the first article

comprises determining a best price from among a plurality of prices selected from the

first article (*column 6, line 37-3, wherein numeric attributes extracted from the product image*

are used together with other attributes during the similarity search for product and column 9,

lines 11-12, wherein determination of attribute values corresponding to the shoppers

requirement and wherein attribute value is interpreted to be price, which is interpreted to be

equivalent to "wherein the best price is a price most likely to be correctly associated with the

product", Aggarwal), and wherein automatically selecting and extracting an image for

the product from the first article based on the price comprises determining a best image

from among a plurality of images selected from the first article (*column 7, lines 20-22,*

wherein the system extracts image features from the product image based on the category to

which the product belongs, Aggarwal).

Claim 123:

Regarding Claim 123, the combination of Horn and Aggarwal teaches wherein

determining the best price and the best image for the product comprises:

ranking the prices and the images selected from the first article; selecting a

highest ranked price for the product as the best price; and selecting a highest ranked

image for the product as the best image *(column 6, line 37-3, wherein numeric attributes*

extracted from the product image are used together with other attributes during the similarity

search for product and column 9, lines 11-12, wherein determination of attribute values

corresponding to the shoppers requirement and wherein attribute value is interpreted to be price,

which is interpreted to be equivalent to "wherein the best price is a price most likely to be

correctly associated with the product", Aggarwal).

Claim 124:

Regarding Claim 124, the combination of Horn and Aggarwal teaches wherein the

ranking ranks based on the distance between each image and each price selected for the

product *(column 6, lines 30-37, wherein existing product catalogs in commerce systems store*

product images along with the textual description and these images are shown to the shopper on

request, but the images are not used during product searching but the described embodiment

uses the product image together with numeric and nominal product attributes to capture the

information available in the visual appearance of the product, Aggarwal).

Claim 125:

Regarding Claim 125, the combination of Horn and Aggarwal teaches wherein ranking

ranks the price based on a price representation score of each price selected for the

product (*column 6, lines 1-9 and column 6, lines 33-39, respectively, Aggarwal*).

Claim 126:

Regarding Claim 126, the combination of Horn and Aggarwal teaches wherein the best

price is a price most likely to be correctly associated with the product (*column 6, line 37-*

3, wherein numeric attributes extracted from the product image are used together with other

attributes during the similarity search for product and column 9, lines 11-12, wherein

determination of attribute values corresponding to the shoppers requirement and wherein

attribute value is interpreted to be price, which is interpreted to be equivalent to "wherein the

best price is a price most likely to be correctly associated with the product", Aggarwal).

Claim 127:

Regarding Claim 127, the combination of Horn and Aggarwal teaches wherein the best

image is an image most likely to be correctly associated with the product (*column 7, lines*

20-22, wherein the system extracts image features from the product image based on the category

to which the product belongs, wherein this is interpreted to correspond to the best image being

associated with the product, Aggarwal).

Claim 129:

Regarding Claim 129, the combination of Horn and Aggarwal teaches wherein the price

signal comprises a price representation score for the identified potential price that

scores the degree to which the identified potential price appears to be an actual price

(*column 6, lines 1-9 and column 6, lines 33-39, respectively, Aggarwal*).

Claim 131:

Regarding Claim 131, Horn teaches wherein obtaining, based on the search query, at

least one price for the product and at least one image of the product from each of the

identified articles *(column 43, lines 39-42, wherein manufacturer's URL for product*

thumbnail and wherein the hyperlink is clickable within the area of the thumbnail and wherein

thumbnail is interpreted to be A small version of a photo or Image browsers commonly display

thumbnails of photos several or even dozens at a time, Horn) further comprises:

selecting a plurality of potential prices and a plurality of potential images for the

product from the first article, the prices selected based on terms of the search query, the

images selected based on the terms of the search query and based on the prices selected,

wherein the selection includes a distance between a location of each of the prices within

the first article and a location of each of the images within the first article *(column 8, lines*

9-14, wherein different similarity functions can be used for numeric, nominal and images

features wherein different similarity functions are used for nominal and non-nominal attributes,

wherein these similarity scores are combined to give a similarity score between the two products,

which is interpreted to be equivalent to "determining a distance between the price for the product

and the image for the product", Aggarwal) and making a ranked list of the potential prices

and of the potential images selected for the product from the first article, wherein prices

and images that are located nearer to each other within the first article are ranked

higher than prices and images that are farther apart from each other (See *Column 13,*

lines 46-48, wherein manufacturer's build a worldwide brand name based on authentic products,

ethical representation, fair prices, and good prices to buyers and column 20, lines 44-47, wherein

the manufacturer's locale currency used to calculate prices in other product record versions, is

equivalent to determining a price representation, Horn).

Claim 132:

Regarding Claim 132, the combination of Horn and Aggarwal teaches wherein

automatically selecting and extracting a price for the product from the first article

further comprises:

identifying a highest ranked price from the potential prices on the ranked list for

the first article; and automatically selecting and extracting the highest ranked price from

the first article *(column 6, line 37-3, wherein numeric attributes extracted from the product*

image are used together with other attributes during the similarity search for product and

column 9, lines 11-12, wherein determination of attribute values corresponding to the shoppers

requirement and wherein attribute value is interpreted to be price, which is interpreted to be

equivalent to "wherein the best price is a price most likely to be correctly associated with the

product", Aggarwal).

Claim 133:

Regarding Claim 133, the combination of Horn and Aggarwal teaches wherein

automatically selecting and extracting an image for the product from the first article

further comprises:

identifying a highest ranked price from the potential images on the ranked list

for the first article; and automatically selecting and extracting the highest ranked image

from the first article *(column 6, line 37-3, wherein numeric attributes extracted from the*

product image are used together with other attributes during the similarity search for product

and column 9, lines 11-12, wherein determination of attribute values corresponding to the

shoppers requirement and wherein attribute value is interpreted to be price, which is interpreted

to be equivalent to "wherein the best price is a price most likely to be correctly associated with the

product", Aggarwal).

9.   Claim 106 is rejected under 35 U.S.C. 103(a) as being unpatentable over Horn et

al. (US Patent No. 7,013,289, Date Filed: February 21, 2001, hereinafter Horn), Aggarwal

et al. (US Patent No. 6,728,706, Date Filed: March 23, 2001, hereinafter Aggarwal) in

view of Venkatraman et al. (WO/0113273, Date Filed: February 22, 2001, hereinafter

Venkatraman).

<u>Claim 106:</u>

Regarding Claim 106, the combination of Horn and Aggarwal does not specifically

define nor teach wherein the price signal comprises a word immediately preceding the

identified potential price. On the other hand, Venkatraman teaches wherein the price

signal comprises a word immediately preceding the identified potential price *(Figure 2B,*

all features, wherein words such as list price, our price, and you save is preceding the price

listed, Venkatraman).

It would have been obvious to one of the ordinary skill in the art at the time of the

invention to incorporate an additional feature that involved a word immediately

proceeding the identified potential price as disclosed by Venkatraman within Horn &

Aggrawal system for the purpose of providing relevant search results to a user that

displays the best possible offer or price for that particular product.

Examiner Remarks

10.   It is difficult to determine exactly what features and aspects of the invention the

instant application is intended to focus on. Therefore, in the spirit of compact

prosecution, Applicant is requested to contact the Examiner for an interview to discuss

the inventive concepts of the instant application. Applicant may optionally amend the

claims to further direct the claims toward a particular inventive concept described in

the specification without an interview.

Response to Arguments

11.   Applicant's arguments filed 08/28/2009 have been fully considered but they are

not persuasive.

Applicant Argument #1:

        Applicant argues on page 14, "First, Horn fails to disclose, *identifying, based on the*

index searching, a plurality of articles from the index of articles that are responsive to the search

query".

Examiner's Response to Argument #1:

        Examiner is not persuaded. Specifically, examiner asserts Horn teaching of "this

web page is sent to Buyers for their interactive selection of a category of products to

view" in Column 25, Lines 40-50 meets applicant's teaching of "identifying, based on

the index searching, a plurality of articles from the index of articles that are responsive

to the search query". MPEP § 2106 states Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. Therefore, examiner maintains the rejection.

Applicant Argument #2:

Applicant argues on page 15, "Second, Horn does not disclose *obtaining, based on the search query, at least one price for the product and at least one image of the product from each of the identified articles*".

Examiner's Response to Argument #2:

Examiner is not persuaded. Examiner asserts Horn teaching in *Column 42, Lines 62-67 of "the buyer receives a Web page displaying a number of products- their descriptions, images, prices and links for getting (i.e. extracting) more information about the product"* meets applicant's claim language and therefore, examiner maintains the rejection.

Applicant Argument #3:

Applicant argues on page 15, "Third, Horn does not disclose *automatically selecting and extracting a price for the product from a first article of the identified articles*".

Examiner's Response to Argument #3:

Examiner is not persuaded. See Examiner's Response to Argument #2.

Applicant Argument #4:

Applicant argues on page 15, "Fourth, Horn does not disclose *automatically selecting and extracting an image for the product from a first article based on the price*".

Examiner's Response to Argument #4:

Examiner is not persuaded. Examiner is not persuaded. MPEP § 2106 states

Office personnel are to give claims their broadest reasonable interpretation in light of

the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-

28 (Fed Cir. 1997). Examiner maintains Horn teaching of *"manufacturer's URL for*

product thumbnail and wherein the hyperlink is clickable within the area of the thumbnail and

wherein thumbnail is interpreted to be a small version of a photo or Image browsers commonly

display thumbnails of photos several or even dozens at a time" in Column 43, lines 39-42, is the

same as applicant's teaching of "selecting an image for the product from the first article

based on the price". Accordingly, examiner maintains the rejection.

Applicant Argument #5:

Applicant argues on page 16, "Fifth, Horn does not disclose *repeating the selection*

and the extraction of prices and images for each of the identified articles".

Examiner's Response to Argument #5:

Examiner is not persuaded. See Examiner's Response to Argument #2.

Applicant Argument #6:

Applicant argues on page 16, "Sixth, Horn does not disclose *displaying, as a*

combined search result set, each of the prices extracted and the images extracted for the products

from the identified articles".

Examiner's Response to Argument #6:

Examiner is not persuaded. As mentioned above in Examiner's Response to

Argument #2, Horn teaching in *Column 42, Lines 62-67 of "the buyer receives a Web page*

displaying a number of products- their descriptions, images, prices and links for getting (i.e.

extracting) more information about the product" meets applicant's claim language of

"displaying, as a combined search result set, each of the prices extracted and the images extracted

for the products from the identified articles". Therefore, examiner maintains the rejection.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of

time policy as set forth in 37 CFR 1.136(a).

12.   A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and

any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date

of the advisory action. In no event, however, will the statutory period for reply expire

later than SIX MONTHS from the mailing date of this final action.

Contact Information

13.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to SHEREE N. BROWN whose telephone number is

(571)272-4229. The examiner can normally be reached on Monday-Friday 7:00 AM -

3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

14.   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner, Art Unit 2163
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December 15, 2009

/don wong/

Supervisory Patent Examiner, Art Unit 2163